



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

Monday, January 12, 2009

*Commissioner Deidre Malone, Chairman*  
*Commissioner Joyce Avery, Chairman Pro Tempore*  
*Commissioner Henri E. Brooks*  
*Commissioner Wyatt Bunker*  
*Commissioner Mike Carpenter*  
*Commissioner Sidney Chism*  
*Commissioner George Flinn*

*Commissioner Joe Ford*  
*Commissioner J.W. Gibson II*  
*Commissioner James Harvey*  
*Commissioner David Lillard*  
*Commissioner Steve Mulroy*  
*Commissioner Mike Ritz*

1/9/2009 11:03 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Deidre Malone

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Pastor Artis McKinley Royal  
Pilgrim Rest Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session  
November 3, 2008  
November 17, 2008

**CONSENT AGENDA**

### Resolutions of Memorial, Sympathy and Commendation

1. Memorial Resolution in Honor of Reverend James Dover Bolton. Sponsored by Commissioner Henri E. Brooks.

### Ordinances

### Zoning and Subdivisions

**BUNKER**  
Vice-Chairman, Land  
Use Committee

2. [Resolution to approve various subdivision contracts, plats, extensions, etc. as recommended by the County Engineer. a\) Resolution to release the bond that secured the improvements to Goodlett Farms East PD, Phase 14\(P.D. 90-317 CC\)](#)

### Reports and/or Resolutions for Standing Committees

**BUNKER**  
Chairman, Public  
Works Committee

3. [Resolution approving a contract agreement between the City of Lakeland and Shelby County Government for the purpose of Lakeland building a second Fire Station within the corporate limits of the City of Lakeland to be occupied by the Shelby County Fire Department, at no cost to Shelby County Government, to provide fire protection and ambulance services to the residents of Lakeland. Sponsored by Commissioner Sidney Chism. \(WITHDRAWN IN COMMITTEE 1/7/09\)](#)

**BUNKER**

Chairman, Public  
Works Committee

4. A resolution approving an amendment to contract No. CA033558 in the amount of \$950,098.68 with Kimley-Horn and Associates, Inc. for design and construction administration services of the Congestion Management Air Quality Project and this item requires an expenditure of Federal Grant Funds in the amount of \$950,098.68. Sponsored by Commissioner Wyatt Bunker.

**CHISM**

Chairman, Law  
Enforcement  
Committee

5. Resolution amending the FY09 Budget for federal grant funds for the Fatherhood Area 2 Program from the U S Department of Health And Human Services. This Resolution allows the expenditure of \$364,077.00 from the Fatherhood 2 Grant Fund and \$40,166.00 from the Corrections Fund. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement  
Committee

6. Resolution amending the FY09 Budget for federal grant funds for the Fatherhood Area 5 Program from the U S Department of Health And Human Services. This Resolution allows the expenditure of \$373,361.00 from the Fatherhood 2 Grant Fund and \$41,485.00 from the Corrections Fund. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement  
Committee

7. Resolution approving contract with State of Tennessee Department of Human Services, services for the blind and visually impaired, for the management and provision of inmate commissary services for the Division of Corrections. This item does not require expenditure of funds. Sponsored by Commissioner Sidney Chism.

**LILLARD**

Chairman, Community  
Services Committee

8. A resolution to amend the FY 2009 Operating Budget to increase grant funds from the Tennessee Department of Human Services in the amount of \$7,164,660.00 for the Low Income Home Energy Assistance Program for the period of July 1, 2008 through June 30, 2009. This item requires expenditure of state grant funds in the amount of \$7,164,660.00. Sponsored by Commissioner David Lillard.

**LILLARD**

Chairman, Community  
Services Committee

9. A resolution to amend the FY 2009 Operating Budget to increase grant funds from the Tennessee Department of Human Services in the amount of \$84,952.00 for the Community Services Block Grant Program for the period of July 1, 2008 through June 30, 2009. This item requires expenditure of state grant funds in the amount of \$84,952.00. Sponsored by Commissioner David Lillard.

**LILLARD**

Chairman, Community  
Services Committee

10. A resolution to amend the FY 2009 Operating Budget to increase grant funds from the Tennessee Department of Human Services in the amount of \$1,892,262.00 for the Weatherization Assistance Program for the period of July 1, 2008 through June 30, 2009. This item requires expenditure of state grant funds in the amount of \$1,892,262.00. Sponsored by Commissioner David Lillard.

**FLINN**

Chairman, Delinquent  
Tax Property  
Committee

11. Resolution approving the sale of eight (8) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 005, 83.1, 98.2, 203, 301, 304, 305, and 402, to identified purchasers at various prices collectively totaling \$26,300.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner George S. Flinn, Jr.

**FLINN**

Chairman, Delinquent  
Tax Property  
Committee

12. Resolution approving the conveyance of 327 square feet of a county owned Delinquent Tax property located on the east side of New Raleigh Rd., approximately 474.61 feet south of the centerline of James Rd. and granting a Temporary Construction Easement across the same, to the City Of Memphis, for nominal consideration; and authorizing the Mayor to execute a Quit Claim Deed to effect the same. Sponsored by Commissioner George S. Flinn, Jr.

**FLINN**

Chairman, Delinquent  
Tax Property  
Committee

13. [Resolution approving the sale of seven \(7\) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 97.1, 106, 303, 304, 305, 401, and 402, to identified purchasers at various prices collectively totaling \\$30,500.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored By Commissioner George S. Flinn, Jr.](#)

**REGULAR AGENDA****Elections, Appointments, and Confirmations****FORD**

Chairman, General  
Government  
Committee

14. [Resolution approving the County Mayor's nomination of Jay Weatherington for reappointment and the County Mayor and County Commission Chairman's joint appointment of Steve Nelson to the Shelby County Needs Assessment Committee. Sponsored by Commissioner Joe Ford.](#)

**FORD**

Chairman, General  
Government  
Committee

15. [Resolution approving the County Mayor's nomination of Maurice Butler for appointment to the Shelby County Conservation Board. Sponsored by Commissioner Joe Ford.](#)

**FORD**

Chairman, General  
Government  
Committee

16. [Resolution approving the County Mayor's nomination of Robert P. Shannon for appointment to the Shelby County Healthcare Corporation. Sponsored by Commissioner Joe Ford.](#)

**FORD**

Chairman, General  
Government  
Committee

17. [Resolution approving the County Mayor's nomination of Mary Margaret Ware and Doris F. Boyd for the joint city-county appointment and James Lenschau for the joint city-county reappointment to the Memphis and Shelby County Air Pollution Control Board. Sponsored by Commissioner Joe Ford.](#)

## Ordinances

### **BUNKER**

Vice-Chairman, Land  
Use Committee

18. [ORDINANCE - THIRD READING \(AMENDED\) - A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance-Regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and by the Council of the City of Memphis on October 7, 1980, being Resolution and Ordinance No. 3064, as amended, so as to make certain changes therein as follows: Amend Appendix A, Zoning, Section 2 to add new definitions for financial services, title loan establishment and payday loan establishment. Amend Chart 1 by adding new use categories and use standards for pay day loan and title loan establishments. ZTA No. 08-001CC. Sponsored by Commissioner Carpenter.](#)

### **BUNKER**

Vice-Chairman, Land  
Use Committee

19. [ORDINANCE - THIRD READING - A joint ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners adopting the 2003 edition of the International Code Council Residential Building Code and providing for its implementation by amendment to the Memphis and Shelby County Building Code and to establish an effective date. Sponsored by Commissioner Ritz.](#)

## Zoning and Subdivisions

## Reports and/or Resolutions for Standing Committees

### **LILLARD**

Acting Chairman,  
Budget Committee

20. [Resolution requesting the Shelby County Trustee not compute and list a separate tax rate on the tax bill for school funding. Sponsored by Commissioner Mike Ritz. \(DEFERRED TO 1/26/09\)](#)

**HARVEY**

Chairman, Economic  
Development  
Committee

21. [Resolution declaring the intent of the Shelby County Board of Commissioners to donate the County's interest in the Mid-South Coliseum arena and the Liberty Bowl real property to the City of Memphis without monetary consideration and requesting the County Mayor's administration seek to facilitate said donation. Sponsored by Commissioner Mike Ritz. \(DEFERRED TO 1/26/09\)](#)

**FORD**

Chairman, General  
Government  
Committee

22. [Resolution authorizing the County Attorney's office to review and recommend an agreement with a law firm in order to pursue financial litigation on a contingency fee basis relative to the recovery of unpaid hotel/motel taxes owed to Shelby County by Internet travel companies. Sponsored by Commissioner Steve Mulroy.](#)

**BROOKS**

Chairman, Legislative  
Committee

23. [Resolution by the Board of Commissioners of Shelby County, Tennessee requesting the members of the Tennessee General Assembly support legislation amending Tennessee Code Annotated, Title 45, Chapter 15 relative to the Tennessee Title Pledge Act. Sponsored by Commissioner Steve Mulroy.](#)

**BROOKS**

Chairman, Legislative  
Committee

24. [Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly support legislation repealing Tennessee Code Annotated, Title 16, Chapter 2, Section 518 relative to the requirement to increase local funding for the Office of the Public Defender when local funding for the District Attorney General's Office is increased. Sponsored by Commissioner Mike Carpenter. \(DEFERRED TO 1/26/09\)](#)

**Announcements/Statements****Adjournment**

25. Resolution of adjournment to Monday, January 26, 2008 at 1:30 p.m.